



Atty. Docket No. RRF-001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Frye et al.  
SERIAL NO.: 10/643,830 GROUP NO.: 3727  
FILING DATE: August 19, 2003 EXAMINER: Not Yet Assigned  
TITLE: Hands-Free Carrier of Articles

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Michael A. Rodriguez

Date: 12/9/03

**TRANSMITTAL FORM**

Transmitted herewith are the following:

1. An Information Disclosure Statement (2 pages);
2. PTO-1449 (2 pages);
3. Twenty-two patent references labeled A1-A19, B1,C1, and C2; and
4. A return receipt postcard.



Atty. Docket No. RRF-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Frye et al.  
SERIAL NO.: 10/643,830 GROUP NO.: 3727  
FILING DATE: August 19, 2003 EXAMINER: Not Yet Assigned  
TITLE: Hands-Free Carrier of Articles

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed. With respect to the document identified as C1, one of the Applicants indicates that she received a shipment of cosmetics from Clarins Paris on August 22, 2003. Included in the shipment was this brochure (the C1 document) and a sample of the "Beauty Band" described in the brochure.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**

- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

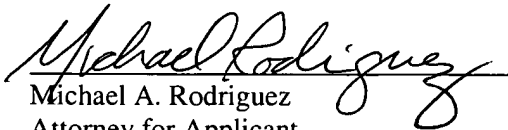
It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

### STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

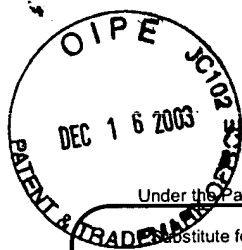
Respectfully submitted,



Michael A. Rodriguez  
Attorney for Applicant  
Guerin & Rodriguez, LLP  
5 Mount Royal Ave  
Mount Royal Office Park  
Marlborough, Massachusetts 01752

Date: 12/9/03  
Reg. No. 41,274

Tel. No.: (508) 303-2003  
Fax No.: (508) 303-0005



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

**Complete if Known**

Application Number	10/643,830
Filing Date	August 19, 2003
First Named Inventor	Frye
Art Unit	3727
Examiner Name	Not Yet Assigned
Attorney Docket Number	RRF-001

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	A1	US- D320,307	10-01-1991	Walasek	
	A2	US- D374,767	10-22-1996	Leach	
	A3	US- D382,995	09-02-1997	Hale	
	A4	US- D404,908	02-02-1999	Lollis	
	A5	US- D471,706 S	03-18-2003	Campagna et al.	
	A6	US- 4,988,097	01-29-1991	Smith et al.	
	A7	US- 5,205,449	04-27-1993	Davies	
	A8	US- 5,309,328	05-03-1994	Lum	
	A9	US- 5,400,936	03-28-1995	Jones et al.	
	A10	US- 5,657,201	08-12-1997	Kochis	
	A11	US- 5,683,022	11-04-1997	Evans	
	A12	US- 6,062,447	05-16-2000	Longley	
	A13	US- 6,070,825	06-06-2000	Rich	
	A14	US- 6,330,961 B1	12-18-2001	Borja	
	A15	US- 6,360,928 B1	03-26-2002	Russo	
	A16	US- 6,364,183 B1	04-02-2002	Barnard	
	A17	US- 6,398,092 B1	06-04-2002	Ansley	
	A18	US- 6,425,137 B1	07-30-2002	Fakhrai	
	A19	US- 6,443,341 B1	09-03-2002	Rittmann	

**FOREIGN PATENT DOCUMENTS**

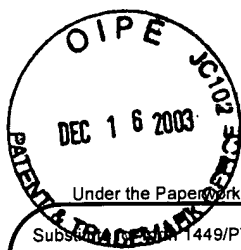
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	B1	GB 2328371 A	02-24-1999	Barker		

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08B (08-03)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Subsection 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

**C mplet if Kn wn**

Application Number	10/643,830
Filing Date	August 19, 2003
First Named Inventor	Frye
Art Unit	3727
Examiner Name	Not Yet Assigned
Attorney Docket Number	RRF-001

Sheet 2 of 2

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	C1	CLARINS PARIS, "New Instant Light Perfecting Touch 'Beauty Band-Aid' Retail Driving Animation," undated, 1 pg	
	C2	BRUSHES BY KAREN INC., "Cosmetic Bags & Brush Kits," Web site visited July 10, 2003, 8 pages.	

Examiner Signature	Date Considered
-----------------------	--------------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.